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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Brittney D. Brooks,

Plaintiff,

vs.

Louis DeJoy,

Defendants.

Case No. 2:24-cv-01864-MDC

**REPORT AND RECOMMENDATION TO
DISMISS CASE**

AND

ORDER TO ASSIGN A DISTRICT JUDGE

The Court previously granted pro se plaintiff Brittney D. Brooks's application to proceed in forma pauperis and after screening, dismissed her proposed complaint without prejudice with leave to amend. *ECF No. 10*. The Court gave plaintiff until April 22, 2025, to file an amended complaint. *Id.* Plaintiff did not file, and has not filed, an amended complaint as directed by the Court.

Plaintiff Brooks has apparently abandoned this case. For the reasons discussed in the Court's earlier screening order (*ECF No. 10*), plaintiff's case should be dismissed. Since the undersigned is recommending dismissal, the Court directs the clerk to assign a district judge to this case. Plaintiff will not be prejudiced because she has an opportunity to object to this report and recommendation.

IT IS ORDERED that the Clerk of Court is directed to randomly assign a district judge to this case.

IT IS RECOMMENDED THAT this case be DISMISSED and Judgment entered.

Dated: May 28, 2025.



Hon. Maximiliano D. Couvillier III
United States Magistrate Judge

NOTICE

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR IA 3-1, plaintiffs must immediately file written notification with the court of any change of address. The notification must include proof of service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by counsel.

Failure to comply with this rule may result in dismissal of the action.